

Exhibit "5"



Department of
Education

Joel I. Klein, Chancellor

2009-2010 SCHOOL YEAR CALENDAR

March 11, 2009

The School Year Calendar mandates that school sessions begin for all students on Wednesday, September 9, 2009 and includes a Midwinter Recess (Monday, February 15 through Friday, February 19, 2010). It reflects that on Tuesday, November 3, 2009, and Thursday, June 10, 2010, students in all five boroughs will NOT be in attendance, but schools in all five boroughs will be scheduled for a Chancellor's Conference Day for staff development related to the Regents High Learning Standards and Assessments. The calendar must be adhered to without exception, unless notifications of subsequent changes are received pursuant to collective bargaining agreements or for other reasons, provided these other reasons are not inconsistent with collective bargaining or legal obligations.

The first revision pertains to Tuesday, September 8, 2009, teachers and other staff as listed below will report back on this day. The second revision involves Wednesday, September 9, 2009; this day is scheduled as the first day of school for all students. The last revision includes Monday, June 28, 2010; this day is scheduled as the last day of school for all students.

2009

August	31, Monday	The following staff report: Assistant Principals and school-based intermediate supervisors not designated to work an increased work year.
September	7, Monday	Labor Day
September	8, Tuesday	Classroom Teachers, Bilingual Teachers in School and Community Relations, Guidance Counselors, Attendance Teachers, Nurses, Therapists, Laboratory Specialists and Technicians, Educational Paraprofessionals (except for School Secretaries, Psychologists and Social Workers) report. School Secretaries, Psychologists and Social Workers report for a regular work day. Employees in titles not listed should consult the applicable collective bargaining agreement. For all UFT-represented employees who, pursuant to the June 22, 2009 agreement, report to school on the Tuesday following Labor Day, that Tuesday shall be utilized first and foremost for preparation of the classroom and for the arrival of students. If time permits, the remainder of the day may be utilized for professional development. Students will not be in attendance.
September	9, Wednesday	SCHOOL SESSIONS BEGIN FOR ALL STUDENTS.* Early dismissal for non-District 75 Kindergarten Students only.
September	10, Thursday	Early Dismissal for non-District 75 Kindergarten Students Only
September	28, Monday	Yom Kippur
October	12, Monday	Columbus Day
November	3, Tuesday	Election Day Chancellor's Conference Day for staff development related to the Regents High Learning Standards and Assessments. Students will not be in attendance.
November	11, Wednesday	Veterans Day
November November	26, Thursday and 27, Friday	Thanksgiving Recess
December January	24, Thursday through and including 1, Friday	Winter Recess (including Christmas and New Year's Day), students return to school on Monday, January 4, 2010.

*A calendar for Prekindergarten students will be issued separately

2010

January	18,	Monday	Dr. Martin Luther King, Jr. Day
February	1,	Monday	Fall Term ends for high school students. NO HIGH school students will be in attendance. Chancellor's Conference Day for staff development in ALL HIGH Schools. All other students will be in attendance. (See section 7 below for details on high school student attendance on February 1.)
February	2,	Tuesday	Spring Term begins for HIGH school students.
February	15,	Monday through Friday	Midwinter Recess (including Washington's Birthday)
March April	29, 6,	Monday through Tuesday	Spring Recess (including Good Friday, Easter and Passover); students return to school on Wednesday, April 7.
May	31,	Monday	Memorial Day Observed
June	10,	Thursday	Chancellor's Conference Day for staff development related to the Regents High Learning Standards and Assessments. School staff report to work if required by their collective bargaining agreement. Students IN ALL FIVE BOROUGHS will NOT be in attendance.
June	24,	Thursday	In non-District 75 high schools having to administer Regents Exams from June 15 through June 23, students will not be in attendance on Regents Rating Day, Thursday, June 24.
June	28,	Monday	LAST DAY FOR ALL STUDENTS An early dismissal of students is to be scheduled on Monday, June 28 under the guidelines outlined in Section 13 below. Last day for all Classroom Teachers, Bilingual Teachers in School and Community Relations, Attendance Teachers, Nurses, Therapists, Laboratory Specialists and Technicians, and last day for Paraprofessionals.
June	29,	Tuesday and	All other staff report except Classroom
June	30,	Wednesday	Teachers, Bilingual Teachers in School and Community Relations, Attendance Teachers, Nurses, Therapists, Laboratory Specialists and Technicians, and Paraprofessionals.

The school year calendar incorporates the following understandings:

1. That two Chancellor's Conference Days are to be used for staff development related to the Regents High Learning Standards and Assessments (November 3 and June 10 in elementary, middle schools high schools);
2. That this calendar does not preclude subsequent changes that may be made pursuant to collective bargaining agreements or for other reasons, but in no case can this calendar or subsequent changes result in a loss of state aid;
3. That all requests for shortened sessions resulting in early dismissals of students and any other changes in this calendar must be submitted to <http://schools.nyc.gov/Calendar/changerequests.htm>. Subsequent to receiving approval, 4 weeks prior notification to parents must be provided;
4. That the Chancellor shall use the power vested in him by law when, in violation of this citywide school year calendar, a school is closed or shortened sessions (defined in section 9 below) are scheduled without prior authorization.

The following should also be noted:

5. The School Year Calendar for 2009-2010 meets the State Education Department requirement of a minimum of 180 state aidable days in all schools in the City School District.

6. All schools will be open citywide on Election Day, Tuesday, November 3, 2009 and on Thursday, June 10, 2010 for a Chancellor's Conference Day for staff development related to the Regents High Learning Standards and Assessments. On both days students in all five boroughs will not be in attendance.
7. Monday, February 1 will be scheduled by all high schools for professional development. No high school students will be in attendance, with the exception of High school level students in District 75 (these students will be in attendance on February 1). The high school spring term begins on Tuesday, February 2 with a full day of instruction.
8. All schools will be open on Friday, February 12, 2010 and students will be in attendance.
9. As a result of professional / Chancellor Conference Days, shortened sessions for various purposes, and Regents Days, the total number of instructional days (days when students report to school) may be different from the number of state aidable days. A shortened session is any day when school is in session for kindergarten through grade 6 students for less than 5 hours of instruction, exclusive of lunch and of the extra session of 37.5 minutes for targeted students, or any day when school is in session for grade 7 and above students for less than 5.5 hours of instruction, exclusive of lunch and of the extra session of 37.5 minutes for targeted students.
10. Calculations of aidable days incorporate Chancellor Conference/Regents Examination Days. Under Commissioner's Regulations, Chancellor Conference Days may include general staff orientation, curriculum development, in-service education, or Parent-Teacher Conferences. They may not include routine administrative matters such as grading examinations or pupil assignments, recordkeeping, or lesson planning.
11. In part, the school calendar takes into account the following citywide centrally-scheduled shortened sessions: two Parent-Teacher Conference shortened sessions (one in the Fall Term and one in the Spring Term), and other citywide shortened sessions. Separate notifications will be forthcoming regarding all of these citywide centrally-scheduled shortened sessions. An early dismissal of students is to be scheduled on the last day of school, subject to the guidelines outlined in section 13 below.
12. In non-District 75 high schools having administered the Regents examinations from June 15 through June 23, high school students will not be in attendance on Regents Rating Day, Thursday, June 24.
13. As concerns the early dismissal of students on the last day of school (Monday, June 28, 2010), the day should be recorded as a regular day of instruction for purposes of the Period Attendance Report, and schools must adhere to the following guidelines: students are required to attend school, pupil attendance must be taken, recorded and reported as part of the average daily attendance, and students are to receive instruction and/or guidance and assistance as needed. Schools should provide at least 4 weeks prior notice to parents and to the Office of Pupil Transportation regarding the specific time they have set for the early dismissal at their site.
14. To avoid the risk of a reduction in State Aid, and to limit impacts on bus scheduling for students, schools will not be closed or shortened sessions (defined in section 9 above) will not be scheduled without prior authorization. Prior to requesting, on a timely basis, shortened session requests, the following should be considered: in weeks when a single scheduled shortened session for kindergarten through grade 6 is requested, the school must still be in session for 25 hours of instruction, exclusive of lunch and of the extra session of 37.5 minutes for targeted students. When a shortened session is scheduled during a 4 day week (for instance, when the week includes a holiday), the school must still be in session for 20 hours of instruction over that week, exclusive of lunch and of the extra session of 37.5 minutes for targeted students. Further clarification and information on exceptions are available upon request.
15. In a week when, exclusive of lunch and of the extra session of 37.5 minutes for targeted students, 25 hours of instruction are scheduled for kindergarten through grade 6 students, or 20 hours in a 4 day week, and an approved shortened session is scheduled, schools may designate that shortened session as a regular day of instruction for purposes of the Period Attendance Report. For students in grades 7 and above, see section 16 below.
16. As concerns Grades 7 and above, generally a shortened session results in the school being in session for less than the required minimum of 27.5 hours of instructional time scheduled in a week, exclusive of lunch and of the extra session of 37.5 minutes for targeted students. Therefore, in almost all instances, an approved shortened session for grades 7 and above should be designated as a non-instructional day for purposes of the Period Attendance Report. Exceptions pertain to the last day of school Monday, June 28, 2010 with the requirements of section 13 above being met this day should be recorded as instructional for purposes of the Period Attendance Report.

17. **For Non-District 75 Kindergarten**, there are 182 aidable days (181 instructional days).
18. **For District 75 Kindergarten through Grade 6 Level and All Grades 1 through 6**, there are 184 aidable days (181 instructional days).
19. **For Grades 7 and 8 Citywide and Grade 9 In Middle Schools (including District 75)**, there are 183 aidable days (181 instructional days).
20. **For High School Level Grades 9 through 12**, there are 184 aidable days in all boroughs (and including 182 in District 75), 179 of which are instructional (in District 75, there are 181 instructional days).
21. Staff development activities must meet needs that are mandated or of high priority, including implementation of the new comprehensive, system-wide instructional approach to literacy and mathematics under the Children First initiative, school violence prevention and intervention, the implementation of the Continuum for Students with Disabilities, performance standards, science education, assessments, etc., as they relate to general, special and bilingual education. There must be an appropriate focus on the Regents High Learning Standards and Assessments as indicated in section 1.
22. Schools will not be in session on Labor Day, Yom Kippur, Columbus Day Observed, Veterans Day, Thanksgiving Day and the day after Thanksgiving, Winter Recess (Thursday, December 24 through and including Friday, January 1, including Christmas and New Year's Day), Dr. Martin Luther King, Jr. Day, Mid-Winter Recess (February 15 through February 19, including Washington's Birthday), Spring Recess (March 29 through and including April 6, including Good Friday, Easter and Passover), and Memorial Day. On Tuesday, November 3, 2009 (Election Day), and on Thursday, June 10, 2010 (Anniversary Day), a Chancellor's Conference Day for staff development related to the Regents High Learning Standards and Assessments is scheduled in all five boroughs. Students IN ALL FIVE BOROUGHS will NOT be in attendance on either day. (Under Section 2586 of the Education Law, Anniversary Day is the first Thursday in June, or the second Thursday in June when the first Thursday falls within the same week as Memorial Day.)
23. Consultation on the school year calendar has taken place with superintendents, parent representatives, the Nonpublic Schools Committee, and appropriate collective bargaining representatives.